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PATENTS

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GROUP 2300
Applicant:

Ronald A. Katz

Serial No.: 08/306,650

Examiner: S. GROUP 2300

Filed: September 14, 1994

Art Unit: 2605

For: TELEPHONIC-INTERFACE
LOTTERY SYSTEM

Docket No.: 228/035
(prev. 9002-1B680US4 and
6646-101N5)

A M E N D M E N T

September 19, 1997

Assistant Commissioner
for Patents
Washington, D. C. 20231

Sir:

In response to the Office Action dated June 26, 1997, and further to the personal interview with the Examiner on August 28, 1997, please amend the above-identified patent application as follows:

IN THE SPECIFICATION:

On page 1, after the first paragraph, please insert a new paragraph with the text --Also, this application is a continuation-in-part of Application Serial No. 08/306,751, filed on September 14, 1994, and entitled "MULTIPLE FORMAT TELEPHONIC INTERFACE CONTROL SYSTEM," which is a continuation of Application

Serial No. 08/047,241, filed on April 13, 1993, and entitled
"MULTIPLE FORMAT TELEPHONIC INTERFACE CONTROL SYSTEM," now U.S.
Patent No. 5,351,285, which is a continuation of Application
Serial No. 07/509,691, filed on April 16, 1990, and entitled
"MULTIPLE FORMAT TELEPHONIC INTERFACE CONTROL SYSTEM," now
abandoned, which is a continuation-in-part of Application Serial
No. 07/260,104, filed on October 20, 1988, and entitled
"TELEPHONIC INTERFACE CONTROL SYSTEM," now U.S. Patent No.
4,930,150, which is a continuation-in-part of Application Serial
No. 07/018,244, filed on February 24, 1987, and entitled
"STATISTICAL ANALYSIS SYSTEM FOR USE WITH PUBLIC COMMUNICATION
FACILITY," now U.S. Patent No. 4,792,968, which is a
continuation-in-part of Application Serial No. 06/753,299, filed
on July 10, 1985, and entitled "STATISTICAL ANALYSIS SYSTEM FOR
USE WITH PUBLIC COMMUNICATION FACILITY," now abandoned; and
Application Serial No. 08/047,241, filed on April 13, 1993, and
entitled "MULTIPLE FORMAT TELEPHONIC INTERFACE CONTROL SYSTEM,"
now U.S. Patent No. 5,351,285, is also a continuation-in-part of
Application Serial No. 07/640,337, filed on January 11, 1991, and
entitled "TELEPHONIC-INTERFACE STATISTICAL ANALYSIS SYSTEM,"
which is a continuation of Application Serial No. 07/335,923,
filed on April 10, 1989, which is a continuation of 07/194,258,
filed on May 16, 1988, and entitled "TELEPHONIC-INTERFACE
STATISTICAL ANALYSIS SYSTEM," now U.S. Patent No. 4,845,739,
which is a continuation-in-part of Application Serial No.
07/018,244, filed on February 24, 1987, and entitled "STATISTICAL

ANALYSIS SYSTEM FOR USE WITH PUBLIC COMMUNICATION FACILITY," now U.S. Patent No. 4,792,968, which is a continuation-in-part of Application Serial No. 06/753,299, filed on July 10, 1985, and entitled "STATISTICAL ANALYSIS SYSTEM FOR USE WITH PUBLIC COMMUNICATION FACILITY," now abandoned.

IN THE CLAIMS:

Please amend claims 24, 38, 40, 45-47, 49-51, 55, 65, 88-90, 95-96, 98, 105, 108-110, 112, and 118, and cancel claims 25, 26, and 39, without prejudice, as follows:

24. (Three Times Amended) A method for conducting a telephonic-interface ticket control operation for use with a communication facility including remote terminal apparatus for individual callers, including voice communication means, and digital input means in the form of an array of alphabetic numeric buttons for providing identification data, comprising the steps of:

assigning a predetermined limit on access to an interactive call processing format;

receiving dialed number identification signals automatically provided from the communication facility (DNIS) to indicate a called number, wherein said called number is indicative of said interactive call processing format selected from a plurality of different interactive call processing formats under control of said dialed number

16 identification signals (DNIS):

17 providing an identification number on a ticket, said
18 identification number entered by each individual caller via
19 said digital input means to access said interactive call
20 processing format until said predetermined limit is reached;

21 storing data indicative of an extent of access
22 accomplished for said identification number entered by each
23 individual caller; [and]

24 testing said data indicative of said extent of access
25 accomplished against said predetermined limit on access to
26 determine if said predetermined limit on access is reached
27 and further testing to limit access during a predetermined
28 interval of time; and

29 providing a distinct indicia associated with said
30 ticket and co-relating said distinct indicia to at least a
31 portion of said identification number.

1 38. (Three Times Amended) A telephonic-interface ticket
2 control system for use with a communication facility including
3 remote terminal apparatus for individual callers to call,
4 including voice communication means, and digital input means in
5 the form of an array of alphabetic numeric buttons for providing
6 identification data, said telephonic-interface ticket control
7 system comprising:

8 interface means coupled to said communication facility
9 to interface said remote terminal apparatus for voice and

10 digital communication with said individual callers wherein
11 dialed number identification signals are automatically
12 provided from said communication facility (DNIS) to identify
13 a called number from a plurality of called numbers;

14 voice generator means coupled through said interface
15 means for providing vocal instructions to an individual
16 caller to enter identification data from a ticket, said
17 ticket having associated therewith a distinct indicia co-
18 related to said identification data;

19 memory means coupled to said interface means for
20 storing said identification data and data indicative of an
21 extent of access accomplished by said individual callers;
22 and

23 qualification means coupled to said interface means for
24 limiting access to said ticket control system based on said
25 extent of access accomplished by said individual callers.

84 1 40. (Amended) A telephonic-interface ticket control system
2 according to claim [39] 38, wherein said plurality of called
3 numbers are indicative of a plurality of different operating
4 formats.

85 5 45. (Twice Amended) A method for conducting a telephonic-
6 interface ticket control operation as defined in claim 24,
7 further comprising the step of:
8 receiving digital signals representing calling number

9 identification data associated with said remote terminal
10 apparatus automatically provided by said communication
11 facility.

1 46. (Amended) A method for conducting a telephonic-
2 interface ticket control operation as defined in claim 45,
3 further comprising the step of:

4 storing said digital signals representing calling
5 numbers associated with said remote terminal apparatus
6 automatically provided by said communication facility.

1 47. (Amended) A method for conducting a telephonic-
2 interface ticket control operation as defined in claim 45,
3 wherein said testing step further includes a preliminary test for
4 testing digital signals representing calling number
5 identification data associated with said remote terminal
6 apparatus automatically provided by said communication facility
7 to limit or prevent access to said interactive call processing
8 format.

1 49. (Amended) A method for conducting a telephonic-
2 interface ticket control operation as defined in claim [25] 24,
3 wherein at least certain digits of said identification number
4 entered by certain of said individual callers indicate a select
5 subformat.

1 50. (Amended) A method for conducting a telephonic-
2 interface ticket control operation as defined in claim 31,
3 further comprising the step of:

4 utilizing said bar code indicia for automatic entry of
5 data for [updating] accessing related stored information
6 including said identification number.

1 51. (Amended) A method for conducting a telephonic-
2 interface ticket control operation as defined in claim 50,
3 further comprising the step of:

4 rendering said ticket ineffective by utilizing said bar
5 code indicia to cancel said related stored information
6 including said identification number.

1 55. (Amended) A telephonic-interface ticket control system
2 according to claim ~~[49]~~ ⁴⁰, wherein at least certain digits of
3 said identification data entered by each individual caller
4 indicate a select telephone subformat.

1 12 65. (Amended) A method for conducting a telephonic-
2 interface according to claim ¹⁰ ~~63~~, further comprising the step of:
3 generating sequence data for each individual [caller]
4 call.

1 88. (Amended) A method for conducting a telephonic-
2 interface ticket control operation as defined in claim ~~[25]~~ ²⁴,

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3 wherein said called number is a toll free number selected from a
4 plurality of toll free numbers under control of said dialed
5 number identification signals (DNIS).

E 10
2 89. (Amended) A method for conducting a telephonic-
3 interface ticket control operation as defined in claim [25] 24,
4 further comprising the step of:

5 utilizing a clock to limit access during said
predetermined interval of time.

1 90. (Amended) A method according to claim [26] 24, wherein
2 certain digits of said identification number contain information
3 specific to each of said plurality of interactive call processing
4 formats and said digits are tested for entitlement to access said
5 interactive call processing format selected from said plurality
6 of interactive call processing formats.

1 95. (Twice Amended) A telephonic-interface control system
2 according to claim [94] 38, wherein said bar code distinct
3 [indica] indicia is machine readable and is utilized for
4 automatic entry of data for [updating] accessing related stored
5 information including said identification number.

1 96. (Amended) A telephonic-interface control system as
2 defined in claim 95, further comprising:

3 means for rendering said ticket ineffective by

utilizing said [bar code] machine readable indicia to cancel related stored information including said identification number.

98. (Amended) A telephonic-interface ticket control system as defined in claim 38, wherein said ticket bears numerical indicia in addition to [bar code] machine readable indicia and identification data indicia.

105. (Amended) A method according to claim 45, further comprising the step of:

processing said data indicative of said extent of access in accordance with said interactive call processing format, and utilizing said digital signals representing calling numbers associated with said remote terminal apparatus for said processing.

108. (Amended) A telephonic-interface control system for a game of chance as defined in claim ⁸107, wherein said interface means receives dialed number identification signals automatically provided from the communication facility (DNIS) indicative of a called number, and wherein said bar code indicia is co-related to at least a portion of said identification data and said bar code indicia is utilized for automatic entry of data for [updating] accessing purposes.

24

1 ~~109~~. (Amended) A method for conducting a telephonic-
2 interface according to claim ~~63~~¹⁰, further comprising the step of:
3 providing a [bar code] machine readable indicia on said
4 ticket.

25

110. (Amended) A method for conducting a telephonic-
interface according to claim 109, further comprising the step of:
co-relating said [bar code] machine readable indicia to
at least a portion of said identification data and utilizing
said [bar code] machine readable indicia for automatic entry
of data for [updating] accessing purposes.

112. (Amended) A telephonic-interface control system according to claim 78, wherein said identification data and a **code** machine readable indicia are provided on a ticket.

118. (Amended) A telephonic-interface control system according to claim 117, wherein [said bar code] machine readable indicia on said ticket is co-related to at least a portion of said identification data and said [bar code] machine readable indicia is utilized for automatic entry of data for [updating] accessing purposes.

Please add the following new claims 119-143.

1119. A method for conducting a telephonic-interface ticket control operation for use with a communication facility

3 including remote terminal apparatus for individual callers,
4 including a voice communication device, and a digital input
5 device in the form of an array of alphabetic numeric buttons for
6 providing identification data, comprising the steps of:

7 providing dialed number identification signals
8 automatically from the communication facility (DNIS) to
9 provide digital identification data indicating a called
10 number, wherein said called number is indicative of an
11 interactive call processing format selected from a plurality
12 of different interactive call processing formats under
13 control of said dialed number identification signals (DNIS);

14 assigning a predetermined limit on access to said
15 interactive call processing format;

16 providing an identification number on a ticket, said
17 identification number entered by each individual caller via
18 said digital input device to access said interactive call
19 processing format until said predetermined limit is reached
20 and providing visual indicia on said ticket illustrative of
21 a name of a specific interactive call processing format from
22 a plurality of names of interactive call processing formats
23 wherein said visual indicia further includes a specific
24 visual theme associated with said interactive call
25 processing format taken from a plurality of visual themes
26 associated with a plurality of different interactive call
27 processing formats;

28 storing data indicative of an extent of access

29 accomplished for said identification number entered by each
30 individual caller;

31 testing said data indicative of said extent of access
32 accomplished against said predetermined limit on access to
33 determine if said predetermined limit on access is reached;
34 providing a distinct indicia associated with said
35 ticket;

36 prompting said individual callers via a voice generator
37 to enter data;

38 storing at least certain of said data responsive to
39 said prompting step; and

40 co-relating said distinct indicia to at least a portion
41 of said identification number. ⁴

1 ²⁹ ~~1120~~. A method according to claim ²⁸ ~~119~~, further
2 comprising the step of:

3 processing at least certain of said data responsive to
4 said step of prompting. ⁴

1 ³⁰ ~~1121~~. A method according to claim ²⁹ ~~120~~, further
2 comprising the step of:

3 receiving calling number identification signals
4 automatically provided by the communication facility; and

5 utilizing at least a part of the calling number
6 identification signals to control at least a part of the
7 processing. ⁴

1 ³¹
A method according to claim ~~119~~²⁸, further
2 comprising the step of:
3 concealing at least a portion of said identification
4 number. ⁶

1 ³²
A method according to claim ~~119~~²⁸, further
2 comprising the step of:
3 applying an obscuring material to said identification
4 number. ⁶

1 ³³
A method according to claim ~~119~~²⁸, wherein said
2 distinct indicia associated with said ticket is machine readable
3 indicia on said ticket. ⁶

1 ³⁴
A method according to claim ~~119~~²⁸, further
2 comprising the step of:
3 utilizing said indicia which is machine readable for
4 automatic entry of data for accessing related stored
5 information including said identification number. ⁶

1 ³⁵
A method according to claim ~~126~~³⁴₁₂₅, wherein said
2 machine readable indicia is a bar code. ⁶

1 ³⁶
A method according to claim ~~119~~²⁸, further
2 comprising the step of:

4/3/47
4/2/47

3 recording additional data provided by callers in the
4 form of callers' credit card numbers. ⁶⁴

1 ³⁷ ~~1128.~~ A method according to claim ²⁸ ~~119~~, wherein said
2 testing step further includes testing digital signals
3 representing calling number identification data associated with
4 said remote terminal apparatus automatically provided by said
5 communication facility to limit or prevent access to said
6 interactive call processing format. ⁴⁷

1 ³⁸ ~~1129.~~ A method according to claim ²⁸ ~~119~~, wherein access is
2 limited based upon a limited dollar value. ⁴⁷

1 ⁴³ ~~1130.~~ A method for conducting a telephonic-interface
2 ticket control operation for use with a communication facility
3 including remote terminal apparatus for individual callers,
4 including voice communication means, and digital input means in
5 the form of an array of alphabetic numeric buttons for providing
6 identification data, comprising the steps of:

7 providing dialed number identification signals
8 automatically from the communication facility (DNIS) to
9 provide digital identification data indicating a called
10 number, wherein said called number is indicative of an
11 interactive call processing format selected from a plurality
12 of different interactive call processing formats under
13 control of said dialed number identification signals (DNIS);

14 assigning a predetermined limit on access to said
15 interactive call processing format;

16 providing an identification number on a ticket, said
17 identification number entered by each individual caller via
18 said digital input device to access said interactive call
19 processing format until said predetermined limit is reached
20 and providing visual indicia on said ticket illustrative of
21 a name of a specific interactive call processing format from
22 a plurality of names of interactive call processing formats
23 wherein said visual indicia further includes a specific
24 visual theme associated with said interactive call
25 processing format taken from a plurality of visual themes
26 associated with a plurality of different interactive call
27 processing formats;

28 storing data indicative of an extent of access
29 accomplished for said identification number entered by each
30 individual caller;

31 testing said data indicative of said extent of access
32 accomplished against said predetermined limit on access to
33 determine if said predetermined limit on access is reached
34 and further testing to limit access during a predetermined
35 interval of time;

36 providing a distinct indicia associated with said
37 ticket;

38 prompting said individual callers via a voice generator
39 to enter data;

40 storing at least certain of said data responsive to
41 said prompting step; and

42 providing indicia indicating a toll free number for
43 callers to dial from a plurality of toll free numbers, where
44 said indicia indicative of said toll free number is related
45 to a specific one of said visual themes. H

131. A method for conducting a telephonic-interface
1 ticket control operation for use with a communication facility
2 including remote terminal apparatus for individual callers,
3 including a voice communication device, and a digital input
4 device in the form of an array of alphabetic numeric buttons for
5 providing identification data, comprising the steps of:

6 providing dialed number identification signals
7 automatically from the communication facility (DNIS) to
8 provide digital identification data indicating a called
9 number from a plurality of called numbers and wherein said
10 called number is indicative of said interactive call
11 processing format selected from a plurality of different
12 interactive call processing formats under control of said
13 dialed number identification signals (DNIS) and wherein said
14 called number is indicative of said interactive call
15 processing format selected from a plurality of different
16 interactive call processing formats under control of said
17 dialed number identification signals (DNIS);

18 assigning a predetermined limit on access to an

19 interactive call processing format;

20 providing an identification number on a ticket, said
21 identification number entered by each individual caller via
22 said digital input device to access said interactive call
23 processing format until said predetermined limit is reached;

24 storing data indicative of an extent of access
25 accomplished for said identification number entered by each
26 individual caller;

27 testing said data indicative of said extent of access
28 accomplished against said predetermined limit on access to
29 determine if said predetermined limit on access is reached
30 and further testing to limit access during a predetermined
31 interval of time;

32 providing a distinct indicia associated with said
33 ticket and co-relating said distinct indicia to at least a
34 portion of said identification number;

35 providing visual indicia on said ticket illustrative of
36 a name of a specific interactive call processing format from
37 a plurality of names of interactive call processing formats
38 and wherein said visual indicia further includes a specific
39 visual theme associated with said interactive call
40 processing format taken from a plurality of visual themes
41 associated with a plurality of different interactive call
42 processing formats;

43 prompting said individual callers via a voice generator
44 to enter data; and

45 storing at least certain of said data responsive to
46 said prompting step. ~~4~~

1 ~~4~~⁴³132. A method according to claim ~~131~~⁴², further
2 comprising the step of:
3 concealing at least a portion of said identification
4 number. ~~4~~

1 ~~4~~⁴⁴133. A method according to claim ~~132~~⁴³, wherein said
2 concealing step further comprises the step of:
3 applying an obscuring material to said identification
4 number. ~~4~~

1 ~~4~~⁴⁵134. A method according to claim ~~133~~⁴⁴, further
2 comprising:
3 using a latex coating as said obscuring material. ~~4~~

1 ~~4~~⁴⁶135. A method according to claim ~~131~~⁴² wherein said
2 distinct indicia associated with said ticket is a machine
3 readable indicia on said ticket. ~~4~~

1 ~~4~~⁴⁷136. A method according to claim ~~131~~⁴² further comprising
2 the step of:
3 utilizing said distinct indicia which is machine
4 readable for automatic entry of data for accessing related
5 stored information including said identification number. ~~4~~

1 ⁴⁸
~~137~~. A method according to claim ~~131~~⁴², further
2 comprising the step of:

3 providing said identification data as indicia on said
4 ticket along with said distinct indicia and an additional
5 numerical indicia. ~~137~~

1 ⁴⁹
~~138~~. A method according to claim ~~131~~⁴², further
2 comprising the step of:

3 recording additional identification data provided by
4 the caller. ~~138~~

1 ⁵⁰
~~139~~. A method according to claim ~~131~~⁴², further
2 comprising the step of:

3 recording said caller's credit card number. ~~139~~

1 ⁵¹
~~140~~. A method according to claim ~~131~~⁴², wherein at least
2 certain digits of said identification data entered by each
3 individual caller indicate a select telephone subformat. ~~140~~

1 ⁵²
~~141~~. A method according to claim ~~131~~⁴², further
2 comprising the step of:

3 receiving digital signals representing calling number
4 identification data associated with said remote terminal
5 apparatus automatically provided by said communication
6 facility. ~~141~~

1 ⁵³~~142~~. A method according to claim ⁵²~~141~~, further
2 comprising the step of:
3 storing said digital signals representing numbers
4 associated with said remote terminal apparatus automatically
5 provided by said communication facility. ~~A~~

6 ⁵⁴~~143~~. A method according to claim ⁴²~~131~~, wherein said
1 testing step further includes testing digital signals
2 representing calling number identification data associated with
3 said remote terminal apparatus automatically provided by said
4 communication facility to limit or prevent access to said
5 interactive call processing format. ~~A~~

R E M A R K S

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This is a response to the office action dated June 26, 1997,
and further to a personal interview with the Examiner on August
28, 1997. The Applicant, Mr. Katz, and his representatives, Mr.
Nilsson and the undersigned appreciate the Examiner's courtesy
during the personal interview. Applicant presents this Amendment
in accordance with the discussions during the personal interview.
By this amendment, Applicant has amended the specification to
indicate a claim to priority from his co-pending Application
Serial No. 08/306,751 under 35 U.S.C. Section 120 and has
variously amended the pending claims to further define them. In
particular, Applicant has amended claims 24, 38, 40, 45-47, 49-
51, 55, 65, 88-90, 95-96, 98, 105, 108-110, 112, and 113, and

canceled claims 25, 26, and 39, without prejudice. Also, Applicant is urging the Examiner to reconsider her rejections based on the arguments and support set forth below and is presenting certain new claims for the Examiner to consider. Applicant respectfully requests the Examiner to reconsider this application and to favorably conclude its prosecution.

I. Discussion of the Rejection of Claims 56, 58-59, 61-62, and 78-82 under 35 U.S.C. Section 102(e)

Paragraph 2 of the office action rejects claims 56, 58-59, 61-62, and 78-82 under 35 U.S.C. Section 102(e) as anticipated by Entenmann et al. (Entenmann). The Examiner takes the position that Entenmann discloses "a telephonic-interface control system for a game of chance comprising: interface means (col. 2, lines 54-56); voice generator means (announcement system 17); processing means (control processor 8); qualification means (col. 2, line 65 - col. 3, line 4); and means for storing (database 19).

With respect to claims 56, 58-59, 61-62, and 78-82, it is noted that claim 56 is independent and claims 58-59 and 61-62 depend upon it. Similarly, claim 78 is independent and claims 79-82 depend on it.

First taking claim 56 into consideration, Applicant notes that the disclosure in his predecessor application U.S. Application Serial No. 07/018,244 (now U.S. Patent No. 4,792,968), from which the present application ultimately claims

priority, supports that claim. The present application is a continuation of U.S. Application Serial No. 07/756,956 (now U.S. Patent No. 5,365,575), which is a continuation-in-part of U.S. Application Serial No. 07/555,111 (now U.S. Patent No. 5,048,075), which is a continuation of U.S. Application Serial No. 07/342,506 (abandoned), which is a continuation of U.S. Application Serial No. 07/194,258 (U.S. Patent No. 4,845,739), which is a continuation-in-part of U.S. Application Serial No. 07/018,244 (U.S. Patent No. 4,792,968). Applicant submits that Entenmann has a filing date of September 1, 1987, which is some months after his predecessor application (U.S. Patent No. 4,792,968) filed on February 24, 1987.

The disclosure that supports claim 56 and each of its dependent claims 58-59, and 61, in Applicant's predecessor '968 patent is identified on the next page. As a matter of interest, it should be noted that Applicant's same patent is prior art to Entenmann.

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Claimed Features

56. A telephonic-interface control system for a game of chance for use with a communication facility including remote terminal apparatus for individual callers to call, including voice communication means, and digital input means in the form of an array of alphabetic numeric buttons for providing identification data, said telephonic-interface system for a game of chance comprising:

interface means coupled to said communication facility to interface said remote terminal apparatus for voice and digital communication with said individual callers and for receiving automatic number identification data indicative of caller telephone numbers provided automatically by said communication facility;

voice generator means coupled through said interface means for providing vocal instructions to an individual caller to enter data associated with said game of chance and identification data;

processing means for processing said data associated with said game of chance supplied by said individual callers, said processing means coupled to said interface means and selecting at least one subset of at least one winner for said game of chance from said individual callers;

qualification means coupled to said interface means for limiting access to said processing means based upon comparing said identification data with previously stored identification data; and

means for storing coupled to said interface means for storing said data associated with said game of chance in association with said previously stored identification data.

58. A telephonic-interface system for a game of chance as defined in claim 56, wherein said qualification means utilizes a look-up table to determine if a limit on access is exceeded.

Example Disclosure Locations in the '968 Patent

Figure 1; col. 2, lines 45-57; col. 3, lines 12-13 and lines 17-46;

Fig. 1; col. 5, lines 55-64;

Fig. 1; col. 3, lines 12-13; col. 3, lines 64-67; col. 4, lines 23-26; col. 5, lines 24-30;

Fig. 1; col. 2, line 66; col. 4, lines 1-5;

Fig. 1; col. 3, lines 55-62; col. 4, lines 1-2; col. 5, lines 25-30; col. 6, lines 35-41; col. 8, lines 22-25;

Fig. 1; Fig. 2; col. 3, lines 10-13; col. 3, lines 64-68; col. 4, lines 1-3; col. 6, lines 65-68; col. 7, lines 1-10.

Fig. 1; col. 5, lines 7-10;

Claimed Features

Example Disclosure Locations in the
'968 Patent

59. A telephonic-interface system for a game of chance as defined in claim 56, further comprising a look-up table, wherein said look-up table comprises individual callers' telephone numbers.

Fig. 1; col. 5, lines 62-66;

61. A telephonic-interface system for a game of chance as defined in claim 56, wherein said processing means selects said subset offline subsequent to accumulating data with regard to a multitude of individual callers.

Fig. 1; col. 4, lines 1-5;

With respect to claim 62, Applicant submits that the Entenmann patent does not teach use of an automatic call distributor nor does it suggest using one. Accordingly, Entenmann does not anticipate claim 62 under 35 U.S.C. § 102(e). Even if the Examiner were to find another reference disclosing an automatic call distributor, Applicant submits that there is no suggestion in Entenmann that use of an automatic call distributor would be desirable or advantageous.

Claim 78 is distinct from Entenmann by its recitation of DNIS signals to indicate a called number. Nowhere in the patent does Entenmann disclose or suggest DNIS signals. Nor does the Entenmann patent suggest any advantage to using DNIS signals in the context of its disclosed system. Therefore, claim 78 is not anticipated by Entenmann.

Claims 79 and 80-82 depend on claim 78. Claim 79 is distinct at least for the same reasons urged with respect to claim 78 and additionally because it requires a consumable key test means to qualify callers with respect to limited access, which includes a check digit verification. Entenmann discloses a lottery system in which it is deemed "important to keep a record of how many times a customer has used the lottery to ensure that

a prepaid amount of credit limit is not exceeded." That reference is to value and not to a consumable key, where a specific number of uses are permitted. In addition, Entenmann does not disclose check digit verification as required by claim 79.

Claim 80 is distinct at least for the same reasons urged with respect to claim 78 and additionally, because it requires a look-up table to determine if a limit on an extent of access is exceeded. The Entenmann patent does not indicate how it keeps a record nor how it determines if access by certain persons should be limited. There is no indication of a look-up table.

Claim 81 is distinct at least for the same reasons urged with respect to claim 78 and additionally because it requires selecting a subset offline subsequent to accumulating data with regard to a multitude of said individual callers.

Claim 82 is distinct at least for the same reasons urged with respect to claim 78 and additionally, because it requires that the called number is one of a plurality of called numbers associated with a plurality of distinct operating formats. Not only does Entenmann not teach DNIS signals to indicate a called number, there is no indication that the selected called number is one of a plurality associated with a plurality of distinct operating formats.

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II. Discussion of the Rejection of Claims 57, 60, 63-77, 24-55, 83-118 under 35 U.S.C. Section 102(e)

A. Claim 57

Paragraph 4 of the office action rejected claim 57 under 35 U.S.C. § 103(a) as unpatentable over Entenmann. The Examiner takes the position that "Entenmann differs from claim 57 in that it does not specify the use of a check digit. However, the examiner takes Official Notice that this feature is notoriously well known in the art, for example, the use of checksum is conventionally used to test data integrity such that it would have been obvious to an artisan of ordinary skill to incorporate the use of such a notoriously well known validation mechanism for testing the integrity of received data from the caller."

Claim 57 depends on claim 56, which as indicated above is supported by Applicant's predecessor application, now his '968 patent, which not only predates Entenmann, but also was considered as prior art to Entenmann. Claim 57 also is supported by Applicant's same predecessor patent as indicated below.

Claimed Features

57. A telephonic-interface system for a game of chance as defined in claim 56, wherein said qualification means further comprises a consumable key test means to qualify callers with respect to limited access, said consumable key test means including a check digit verification.

Example Disclosure Locations in the '968 Patent

col. 6, lines 36-46

B. Claim 60

Paragraph 5 of the office action rejected claim 60 under 35 U.S.C. § 103(a) as unpatentable over Entenmann in view of Trov.

col. 5, lines 27-28

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[illegible]

C. Claims 63-77

Paragraph 6 of the office action rejected claims 63-77 under 35 U.S.C. § 103(a) as unpatentable over Entenmann in view of Barr et al. The Examiner takes the position that "Entenmann differs from claims 63-77 in that Entenmann uses a customer's telephone number, rather than a number provided on a ticket, for testing limit [sic, limited] access. However, Entenmann does provide for the customer entering a lottery code (col. 2, lines 49-54) and Barr teaches the lottery code being on a lottery ticket (col. 3, lines 6-24) such that it would have been obvious to an artisan of ordinary skill to use a lottery ticket number for testing limit access."

Claim 63 is independent and claims 64-77 ultimately depend on claim 63. Claim 63 explicitly requires the steps of developing a "consumable key number," providing it on a ticket, and receiving and testing it to limit access by a caller to the interactive processing format. To that end, Applicant submits that Entenmann does not disclose nor suggest a "consumable key number." At best, Entenmann discloses a lottery system wherein it is deemed "important to keep a record of how many times a customer has used the lottery to ensure that a prepaid amount of credit limit is not exceeded." Accordingly, Entenmann limits access in a sense only to ensure that a prepaid amount of credit limit is not exceeded, which concerns "value." A consumable key permits a specific number of uses, which are consumed by use, never to be automatically replenished.

Claims 64-77 are distinct at least for the reasons urged above with respect to claim 63, and also variously distinct by the various limitations they recite.

D. Claims 24-55 and 83-118

Paragraph 7 of the office action rejected claims 24-55, 83-118 under 35 U.S.C. § 103(a) as unpatentable over Entenmann in view of Barr, and further in view of Muller et al. The Examiner takes the position that "Entenmann differs from claims 24-55, 83-118 in that it does not specify a distinct indicia, or bar code number, co-related to at least a portion of the identification number provided on the ticket. However, Barr teaches the well known use of lottery ticket provided with a lottery number to be entered by dialing in to a provided telephone number and Muller teaches the conventional use of a bar code number co-related to the lottery identification number for the purpose of providing a high level of security when verifying winning tickets (Abstract) such that it would have been obvious to an artisan of ordinary skill to incorporate the use of a lottery ticket, as taught by Barr, and the use of a bar code, as taught by Muller, within the system of Entenmann."

Claims 25-37, 45-51, 83-93, 105 ultimately depend on claim 24; claims 39-44, 52-55, 94-104, 106 ultimately depend on claim 38; claims 107-108 ultimately depend on claim 56; claims 109-110 ultimately depend on claim 63; and claims 111-115 ultimately depend on claim 78.

At the outset, Applicant submits that it is only with hindsight that one is able to combine the three references as the Examiner suggests. There is no suggestion in the primary reference Entenmann, that a combination such as defined by the claimed invention is desirable or advantageous. Entenmann is directed to a lottery system that does not issue tickets. Barr '004 discloses cards for use in groups to attain a secondary telephone number. Also, Barr is directed to the use of a plurality of cards to provide cumulative indicia. Such operation is different from Applicant's system and bears no suggestion of a single or multiple format groupings with internal unique identification numbers and associated telephone numbers. Muller discloses lottery cards using bar codes. However, the primary purpose of using bar codes in Muller is for security reasons, rather than to facilitate automatic entry of the identification numbers to gain access to stored data.

In particular, with respect to claim 29, in Barr, the telephone number is concealed, whereas in Applicant's system it is the unique identification number that is concealed (not the telephone number). In Barr, see column 1, line 43 and column 2, line 30, and continuing.

Claims 111-115 are dependent on claim 78 which is distinct from Entenmann for the reasons urged above with respect to DNIS. Also, neither Barr nor Muller disclose DNIS.

Applicant submits that the rejected claims are distinct from the combination suggested by the Examiner and requests the

Examiner to allow them.

E. Discussion of the New Claims

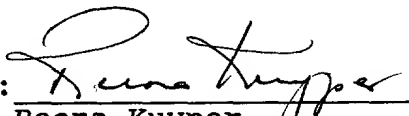
Applicant is introducing new claims 119-143 for the Examiner to consider. The new claims define variations in previously claimed combinations. Claims 119, 130, and 131 are independent and claims 120-129 depend on 119 and claims 132-143 depend on claim 131.

Favorable consideration and allowance of these claims is respectfully requested.

S U M M A R Y

Based on the above amendments and arguments, Applicant requests favorable consideration and allowance of all the pending claims.

Respectfully submitted,

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Docket No. 228/035
(prev. 9002-1B680US4 and
6646-101N5)

6646\101N5\AM2

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103- \$484.00
102- \$240.00

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GROUP 2300 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTS 1997

GROUP 2300

Applicant: Ronald A. Katz)
Serial No.: 08/306,650)
Filed: September 14, 1994) Examiner: S. Woo
For: TELEPHONIC-INTERFACE) Art Unit: 2605
LOTTERY SYSTEM)
Docket No.: 228/035)
(prev. 9002-1B680US4)
and 6646-101N5)

TRANSMITTAL LETTER

September 18, 1997

Assistant Commissioner
for Patents
Washington, D. C. 20231

Sir:

Transmitted herewith for the above-identified application is an Amendment, an accompanying check in the amount of 1538, and a Revocation and Grant of Power of Attorney.

The fee for claims has been calculated as shown:

09/24/1997 GBUCKETT 00000029 08306650
01 FC:102
02 FC:103

	Remainder After Amendment	Highest Number Previously Paid For	Extra Present	Rate	Small Entity	Large Entity	Additional Fee
Total	117	- 95	= 22	x 11	x 22	=	\$ 484
Indep.	8	- 5	= 3	x 40	x 80	=	\$ 240
1st presentation of multiple dep. claim + 130 + 260 =							\$ 0
Total additional fee							\$ 724

A check in the amount of \$724 is enclosed. Also, please charge any deficiencies, or credit any overpayment, to Deposit Account No. 12-2475.

Respectfully submitted,

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(prev. 9002-1B680US4 and
6646-101N5)

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4646-101N5-TR